

the colonies in a collective capacity, and not as individual, distinct and separate entities. But allow me to proceed in reading what Mr. Pinckney said:

"The separate and individual sovereignty of the several States were never thought of by the enlightened band of patriots who framed this declaration; the several States are not even mentioned by name in any part, as if it were intended to impress this maxim on America, that our freedom and independence arose from our Union, and that without it we could neither be free nor independent. Let us then consider all attempts to weaken this Union, by maintaining that each State is separately and individually independent, as a species of political heresy, which can never benefit us, but may bring on us the most serious distresses." These golden words were spoken by General Pinckney on the 18th of January, 1788. Ten years after the treaties with France, and five years after the treaties with England were negotiated, by which Mr. Davis says, "the separate and independent sovereignty of the several States" was recognized by these powers, General Charles Cotesworth Pinckney declared to his fellow-citizens in the emphatic language just cited, "that the separate independence and individual sovereignty of the several States was not thought of!"

Now, this is a cotemporaneous authority from the very State in which this rebellion originated; from the very hot-bed of treason. I might multiply these authorities. But, however we may dispute, however we may differ upon what are the limited powers of this Government, and whether they have been usurped and whether they have been transcended; whatever difficulties may have interposed themselves in the way of our unity and harmony as a people, by reason of the inevitable differences of opinion which must arise among people everywhere and under all circumstances, and whatever may have been the theories of men heretofore, it is only in our day and in our generation that these old theories have been reduced to practice. Notwithstanding the difficulties and troubles that surrounded the administration of Mr. Madison, at the time of the Hartford Convention; notwithstanding the distracted state of the public mind of that era; notwithstanding all those things, it is only at the particular time in which we live that these bold theories of governmental interpretation have been put into unholy and disastrous practice.

I ask gentlemen who claim—and it was claimed everywhere a few years ago—that the Constitution of the United States established a model form of government; that it was the offspring of the most enlightened minds of the best men and the purest patriots; I would ask whether it is not a direct contradiction of such a sentiment, directly in antagonism with such a theory, to

suppose that men thus endowed with wisdom, with foresight, with patriotism, would undertake to establish a government, which of all governments of which history speaks, would be the most frail, and have the least vigor and power and strength; a government utterly incapable of self-protection? A government that, contrary to all ideas we have of the rights of men and things by nature, was divested of that inherent and cognate right which is inseparable from the law of self-preservation. And not only that, but that a government was intended to be formed and created of a number of different sovereignties, any one of which, at any moment of time by setting itself up as the arbiter and exponent of its own rights, could destroy it. Is it possible to conceive that men of wisdom, men of foresight, men of pure characters, with all the experience they had passed through, with all the memories of the Revolution clustering around them, could sit down and deliberately form a Constitution which under such a structure would be aptly indeed pronounced to be a mere rope of sand? I cannot believe it; I can reach no such conclusion either from the debates which have been had from the formation of the Constitution, or from any light that has been reflected upon the subject in this House.

I have listened with care and attention to all that has been said here. I have listened with an earnest desire to be enlightened and instructed and informed by the course which the argument has taken. But I confess that the more I have heard this subject discussed, the more it has been agitated, the stronger has become my conviction that, while I recognize this Government as one of enumerated and limited powers, it is nevertheless to the extent of its powers the true sovereignty of the country. And however the barriers of State lines may be interposed, however ingenuity and sophistry may be invoked to rear up the State governments as formidable claimants to the national sovereignty, the Government of the United States nevertheless is the Government of the people, the whole people of the United States, and not of any part of them as such.

Let me refer to the argument of my friend from Anne Arundel, (Mr. Miller,)—to whom I always listen with a great deal of pleasure—always precise and clear in his logic, and generally to my mind convincing; while for the most part I agree with him in his premises on the subject, I must wholly depart from his conclusions, for the reasons that they carry me to the same point which other gentlemen on that side have reached; they lead irresistibly to Dixie. Whilst he denies the constitutional power of any one of these so-called sovereignties to secede and thus dissolve the Union, he yet contends that in cases where the Supreme Court of the United States is not competent to act as an arbiter,